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09/954,937	09/18/2001	Kishiko Itoh	JP920000353US1	8224

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EXAMINER	
NGUYEN, HAI V	
ART UNIT	**PAPER NUMBER**
2142	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/954,937	ITOH ET AL.	
	Examiner	Art Unit	
	Hai V. Nguyen	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-7,9-11,13-19,21 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-7,9-11,13-19,21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *02/05/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the communication received on 05 February 2007.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05 February 2007 has been entered.

3. Claims 2, 8, 12, 20 are cancelled.

4. Claims 1, 3-7, 9-11, 13-19 and 21-22 are presented for examination.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 3-7, 9-11, 13-19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Tate** et al. US patent # **6,493,751 B1** in view of **Yeap** et al. US patent # **6,961,762 B1**.

7. As to claim 1, Tate discloses a communication adapter selection method for selecting a given communication adapter *(Tate, Fig. 10, Megahertz CCX-1336 Fax-*

modem or Fig. 11, 3COM EL#LAN 336 Modem PC card) in a system environment in which a plurality of communication adapters *(Tate, Fig. 10, mobile configurations associated with Megahertz CCX-1336 Fax-modem, Fig. 11, 3COM EL#LAN 336 Modem PC card; LAN interface card or NIC card, col. 6, line 38)* are installed in a computer apparatus to communicate with an external entity *(Tate, Fig. 2; LAN or WAN)*, comprising the steps of:

storing information *(profiles)* for identifying among the plurality of communication adapters a communication adapter specified *(selected, chosen)* by a user as a communication adapter to be enabled to the exclusion of other of the plurality of communication adapters *(a mobile configuration is a collection of data parameters known as "profiles" that, when applied or activated, configure the user's computer system to connect to a specific network. A particular mobile configuration is comprised only of the necessary profiles specific to the selected hardware device; LAN mobile configuration 10 requires the selection of a populated LAN profile 12 and a general networking profile 14 in order to provide the required parameters for fully enabling a configuration with a typical LAN, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41);*

determining whether the plurality of communication adapters installed in said system are available or not *(Tate, a user, upon arrival in a particular physical or logical "location" (e.g. hotel, branch office, airport lounge or a different network environment) may execute the mobile configuration manager application of the present invention to*

examine the list of existing and available mobile configurations, col. 4, lines 14-63; col. 7, lines 35-41);

However, Tate does not explicitly disclose disabling all of the plurality of communication adapters.

In the same field of endeavor, Yeap discloses in Figure 5 that the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), (col. 7, lines 24-44) for the purpose of *providing automatically reconfiguration of the computer within the same network or outside the network (Yeap, col. 3, lines 28-31)*; and

Tate-Yeap discloses enabling said communication adapter specified *(Tate, selected, chosen)* by the user if it is determined that said communication adapter specified by the user is available, wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable (N/A) for communication, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10).*

8. As to claim 3, Tate discloses a communication adapter selection method for selecting a given communication adapter in a system environment in which a plurality of communication adapters are installed in a computer apparatus *(Tate, a computer)* to communicate with an external entity, comprising the steps of:

Tate discloses receiving an input event *(the user is executing the mobile configuration manager application)* for identifying among the plurality of communication

adapters installed in the computer apparatus a communication adapter specified by a user as an adapter to be enabled to the exclusion of other of the plurality of communication adapters *(the user may execute the mobile configuration manager application of the present invention to examine the list of existing and available mobile configurations, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; and the user may choose to " activate" a particular mobile configuration, i.e., instruct the mobile configuration manager 30 to change all system parameters to the values stored in that particular mobile configuration in order to facilitate the desired connection, col. 7, lines 45-52)*;

However, Tate does not explicitly disclose disabling all of the plurality of communication adapters.

In the same field of endeavor, Yeap discloses in Figure 5 that the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), (col. 7, lines 24-44) for the purpose of *providing automatically reconfiguration of the computer within the same network or outside the network (Yeap, col. 1, lines 58-62; col. 3, lines 28-31)*; and

Tate-Yeap discloses in response to said input event, enabling said communication adapter specified by the user, wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)*.

9. As to claim 4, Tate discloses a communication adapter selection method for selecting a given communication adapter in a system environment in which a plurality of communication adapters are installed in a computer apparatus, comprising the steps of:

Tate discloses storing a number of communication adapters required by a user *(Tate, storing multiple network configurations for easy selection between multiple network environments, (col. 3, lines 65-67); the user can create, add, modify the mobile configurations associated with modems, LAN adapters, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, line 26 – col. 8, line 24)*;

Tate discloses enabling among said plurality of communication adapters a given communication adapter to the exclusion of other of the plurality of communication adapters based on said stored number of the communication adapters *(Tate, A user may then choose to activate the mobile configuration, i.e., to instruct the mobile configuration manager of the present invention to change all system parameters to the values stores in the selected mobile configuration in order to facilitate the desired network connection, col. 4, lines 40-45; col. 7, line 26 – col. 8, line 24)*; and

However, Tate does not explicitly disclose disabling all of the plurality of communication adapters.

In the same field of endeavor, Yeap discloses in Figure 5 that the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), (col. 7, lines 24-44) for the purpose of *providing automatically reconfiguration of the computer within the same network or outside the network (Yeap, col. 1, lines 58-62; col. 3, lines 28-31)*;

Tate discloses, wherein the other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)*.

10. As to claim 5, Tate-Yeap discloses, wherein the priorities assigned to set up communication adapters are stored and the given communication adapter is enabled based on said stored number of the communication adapters and stored priorities *(Yeap, col. 2, lines 15-23; col. 6, lines 31-43)*.

11. As to claim 6, Tate discloses a communication adapter selection method for selecting a given communication adapter in a system environment in which a plurality of communication adapters are installed in a computer apparatus to communicate with an external entity, comprising the steps of:

Tate discloses pre-registering information *(Tate, mobile configuration; A mobile configuration is a set of the preferred settings of all communication-related system parameters for a given network and/or location that can be specified in advance, col. 7, lines 26-42)* about a communication adapter to be enabled in response to a predetermined condition of an operating environment *(Tate, home, office, or corporate branch office, airport lounge, hotel)* of said computer apparatus *(Tate, col. 7, line 1 – col. 8, line 24)*;

Tate discloses detecting event information generated by a change *(changing locations)* in the operating environment of said computer apparatus *(Tate, if a specific*

modem is detected as being a global modem capable of conforming to various national standards, then upon the activation of a specific configuration, this profile will read the country parameter out of the location profile and determine which code to send to the specific modem that enables the modem to set-up the internal hardware so as to be electrically compatible with the host communication network, col. 9, lines 55-62);

Tate discloses analyzing said event information to determine whether said event information meets said predetermined condition of said operating environment or not *(Tate, the user may execute the mobile configuration manager application of the present invention to examine the list of existing and available mobile configurations, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41*;

However, Tate does not explicitly disclose disabling all of the plurality of communication adapters.

In the same field of endeavor, Yeap discloses in Figure 5 that the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), Fig. 5, box 512, (col. 7, lines 24-44) for the purpose of *providing automatically reconfiguration of the computer within the same network or outside the network (Yeap, col. 1, lines 58-62; col. 3, lines 28-31)*; and

if said event information meets said predetermined condition of said operation environment, enabling a communication adapter to be enabled to the exclusion of other of the plurality of communication adapters in response to said predetermined condition of the operating environment, wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from*

home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10).

12. As to claim 7, Tate discloses a communication adapter selection method for enabling a given communication adapter in a system environment comprising communication adapters installed in a portable information device and a communication adapter installed in an expansion unit *(modem slot)* attachable to said portable information device, comprising the steps of:

Tate discloses determining whether all the communication adapters configured in said system environment are available or not *(Tate, a user, upon arrival in a particular physical or logical "location" (e.g. hotel, branch office, airport lounge or a different network environment) may execute the mobile configuration manager application of the present invention to examine the list of existing and available mobile configurations, col. 4, lines 14-63; col. 7, lines 35-41)*;

However, Tate does not explicitly disclose reading priority information in which a priority assigned to each communication adapter is set from a profile.

Yeap discloses reading *(scanning, sensing, detecting)* priority information in which a priority assigned to each communication adapter is set from a profile *(Yeap, Fig. 5, col. 6, lines 15-42; col. 7, lines 24-32; claims 17, 26)* for the purpose of *achieving the dynamic reconfiguration effects (col. 7, lines 20-22).*

Yeap discloses disabling all of the plurality of communication adapters *(Yeap, the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all*

communications, resetting, reconfiguring WNIC), Fig. 5, box 512, col. 7, lines 24-44); and,

Tate-Yeap discloses if it is determined that the communication adapter installed in said expansion unit is available and said read priority information indicates that the priority assigned to said communication adapter installed in said expansion unit is higher than a priority of the communication adapters installed in said portable information device, enabling said communication adapter installed in said expansion unit to the exclusion of other of the plurality of communication adapters *(Yeap, The selection process may be automatic according to the priorities set in the profile database in one implementation, or the selection process may be done manually by highlighting one of the selections available under the Location Listing section 324 in other implementations. The system will step through the parameters stored in the associated profile in the profile database and communicate with the network based on the selected profile, col. 7, lines 25-35)*; wherein the other communication adapters are disabled and remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)*.

13. As to claim 9, Tate-Yeap discloses, wherein at least one of the communication adapters installed in said portable information device is a wireless LAN adapter *(Yeap, Fig. 2, 206)*; and

the priority of said wireless LAN adapter set in said read priority information is immediately below the priority of the communication adapter installed in said expansion unit *(Yeap, col. 7, lines 25-35)*.

14. As to claim 10, Yeap discloses a method for setting up a communication adapter comprising the steps of:

reading *(scanning, autosensing, detecting)* information about the configuration of a communication adapter configured in a system from a profile *(Yeap, Fig. 5, col. 6, lines 15-42; col. 7, lines 25-35)*;

setting at least one location where the system performs communication *(Yeap, Figs. 3, 4)*;

setting a default priority assigned to a communication adapter to be enabled *(Yeap, Fig. 5, col. 7, lines 25-35)*;

Yeap discloses disabling all of the plurality of communication adapters *(Yeap, the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), Fig. 5, box 512, col. 7, lines 24-44);* and

storing in a profile said default priority and said number of the communication adapters to be enabled for each of said at least one set locations *(Yeap, Figs 4, 5, col. 6, lines 15-42; col. 7, lines 25-35)*;

However, Yeap does not explicitly disclose enabling said communication adapter to be enabled, wherein other communication adapters remain disabled.

Tate discloses enabling said communication adapter to be enabled, wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, (e.g., disabled), col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)* for the purpose of *reducing the need for a user to reenter redundant or common information upon reconfiguration for interaction with a different network (Tate, col. 7, lines 15-19).*

15. Claim 11 corresponds the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

16. As to claim 13, Tate-Yeap discloses adapter count storage for storing a number of communication adapters to be enabled, wherein said setting unit enables as many communication adapters as said number of the adapters stored in said adapter count storage, in descending order of priority *(Yeap, col. 6, lines 15-42; col. 7, lines 25-35).*

17. Claim 14 corresponds the apparatus claim of claim 3; therefore, it is rejected under the same rationale as in claim 3.

18. As to claim 15, Yeap discloses a computer apparatus in which a plurality of communication adapters are installed, said computer apparatus communicating with an external entity through said plurality of communication adapters and comprising:

a utility *(Fig. 2, software utility in configuration module 200)* for controlling the enable/disable of said communication adapters *(Yeap, Fig. 2, col. 6, lines 15-25)*; and

a driver for exchanging data between said utility and said communication adapters *(Yeap, Fig. 2, driver 204, col. 5, lines 24-37)*;

wherein said utility disables all of the plurality of communication adapters and provides a suspend event to said driver if a communication adapter to be enabled to the exclusion of other of the plurality of communication adapters is not enabled previously or provides a resume event to said driver if the communication adapter to be enabled is enabled and requested to be disabled *(Yeap, Fig. 5, box 512, the system sleeps for 3 seconds, col. 7, lines 24-44)*,

However, Yeap does not explicitly disclose wherein other communication adapters remain disabled.

Tate discloses wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, (e.g., disabled), col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)* for the purpose of *reducing the need for a user to reenter redundant or common information upon reconfiguration for interaction with a different network (Tate, col. 7, lines 15-19)*.

19. As to claim 16, Tate-Yeap teaches, wherein said utility inquires of said driver to obtain a number and a type of existing communication adapters *(Tate, Fig. 10, mobile configurations associated with Megahertz CCX-1336 Fax-modem, Fig. 11, 3COM EL#LAN 336 Modem PC card; LAN interface card or NIC card, col. 6, line 38)*.

20. As to claim 17, Yeap teaches a portable information device in which a plurality of communication adapters are installed and which can be connected with a expansion unit *(modem slot)* in which a given communication adapter is installed, said portable information terminal comprising:

storage for storing priority information indicating an order in which the communication adapters are enabled *(Yeap, Fig. 2, memory 208, col. 5, lines 24-37; col. 6, lines 15-43.)*

a connection recognition unit recognizing *(detecting, autosensing)* a connection of said expansion unit *(Yeap, detects changes in the quality of an established link by selecting a most suitable working profile in a profile database, col. 2, lines 5-14)*;

an open-operation execution unit for executing an adapter open operation on all the communication adapters including said given communication adapter installed in said expansion unit when said connection recognition unit recognizes the connection *(Yeap, col. 1, line 66 - col. 2, line 56)*; and

a setting unit for enabling the given communication adapter among communication adapters successfully opened by said open-operation execution unit to the exclusion of other of the plurality of communication adapters according to said priority information stored in said storage *(Yeap, col. 1, line 66 - col. 2, line 56);*

However, Yeap does not explicitly disclose wherein other communication adapters remain disabled.

Tate discloses wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then*

the modem is utilized for communication and the LAN interface card is not applicable for communication, (e.g., disabled), col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10) for the purpose of *reducing the need for a user to reenter redundant or common information upon reconfiguration for interaction with a different network (Tate, col. 7, lines 15-19).*

21. As to claim 18, Tate-Yeap teaches, wherein said priority information stored in said storage varies from location to location where said portable information device is used *(Yeap, col. 1, line 66 - col. 2, line 56).*

22. As to claim 19, Yeap teaches a portable information device in which a plurality of communication adapters are installed and which can be connected with a expansion unit in which a given communication adapter is installed, said portable information device comprising:

a connection recognition unit recognizing the connection of said expansion unit *(Yeap, detects changes in the quality of an established link by selecting a most suitable working profile in a profile database, col. 2, lines 5-14)*;

disabling all of the plurality of communication adapters *(Yeap, the system sleeps for 3 seconds before checking link quality again, (e.g., disabling all communications, resetting, reconfiguring WNIC), Fig. 5, box 512, col. 7, lines 24-44)*

a priority connection unit for connecting said given communication adapter installed in said expansion unit to the exclusion of other communication adapters if said connection recognition unit recognizes the connection of said expansion unit *(Yeap, col. 1, line 66 - col. 2, line 56; col. 6, lines 15-43)*;

However, Yeap does not explicitly disclose wherein other communication adapters remain disabled.

Tate discloses wherein other communication adapters remain disabled *(Tate, Fig. 3, the mobile configurations #1, #2 show that when the user works from home, then the modem is utilized for communication and the LAN interface card is not applicable for communication, (e.g., disabled), col. 4, lines 14-63; col. 6, lines 19-67; col. 7, lines 35-41; col. 8, line 50 – col. 9, line 10)* for the purpose of *reducing the need for a user to reenter redundant or common information upon reconfiguration for interaction with a different network (Tate, col. 7, lines 15-19).*

23. Claim 21 corresponds to the computer readable medium claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

24. Claim 22 corresponds to the computer readable medium claim of claim 3; therefore, it is rejected under the same rationale as in claim 3.

25. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hai V. Nguyen
Examiner
Art Unit 2142

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER